

MINUTES OF THE MEETING OF THE BAR - BENCH - MEDIA CONFERENCE

A meeting of the Bar-Bench-Media Conference was held on Thursday, June 4, 1992 at 2:00 p.m. in the Family Court Building in Dover. The meeting was opened to the public. Notice of the meeting had been posted. No members of the public were in attendance. The members of the Conference in attendance were:

Members from the Print News Media

Mr. James Flood
Mr. Henry Freeman
Ms. Judith Roales

Members from the Electronic News Media

Ms. Marilyn Buerkle
Mr. Allan R. Loudell
Mr. Robert Mercer
Mr. Michael Sigman
Mr. William D. Osborne

Members from the Bench

President Judge Henry duPont Ridgely
Judge Jay James

Members from the Bar

Rosemary Killian
Mary E. Sherlock
J. Dallas Winslow, Jr.

The meeting was opened by the Chairman, John H. Taylor, and the minutes of the February 20, 1992 meeting were approved. Minutes were not taken at the

March meeting that consisted of a demonstration of video technology at the University of Delaware. Rosemary K. Killian, Esquire and Mary E. Sherlock, Esquire were introduced to the Conference as new members representing the Bar. As the terms of the Chairman, Vice Chairman, and Secretary had expired, the Conference elected new officers. Vice Chancellor Jacobs was elected Chairman, Bill Osborne was elected Vice Chairman, and Rosemary Killian was elected Secretary.

On behalf of the Winter Seminar Subcommittee, Mike Sigman and Allan Loudell handed out a Progress Report dated June 4, 1992 (copy attached) on the proposed Bar/Bench/Media Conference seminar that is to be held in February or March 1993. After reviewing and discussing the Progress Report, the Committee asked the seminar subcommittee to meet again to begin to formalize the program, select a site for the seminar, and to begin the process of seeking funding through grants. The subcommittee was to report back to the Conference at the next meeting. The only decision made as the format of the seminar was not to have a dinner at the end of the program.

The Conference decided to set meeting dates for the next year. The dates are: September 24, 1992 in New Castle County at a site to be determined, December 10, 1992, January 14, 1993 and February 11, 1993. The winter dates

were set to permit final planning for the seminar.

The Conference adjourned at 3:30 p.m.

Respectfully submitted,

Rosemary K. Killian
by Stephen D. Taylor
Rosemary K. Killian

September 10, 1992

**BAR/BENCH/MEDIA CONFERENCE
WINTER SEMINAR SUBCOMMITTEE
PROGRESS REPORT, JUNE 4, 1992**

SUBCOMMITTEE MEMBERS

RITA FARRELL
JUDGE JAY JAMES
ALAN LOUDELL
JUDGE RODERICK MCKELVIE
MIKE SIGMAN

SUBCOMMITTEE CHARGE

The Winter Seminar Subcommittee was asked by the Conference, as a whole, to investigate the interest level and viability of another day-long seminar that would include representative of the Bar, Bench and Media. We were also asked to determine what the focus of such a seminar would be and to report back to the conference with a plan of action.

ACTIVITIES

Our Subcommittee met twice during the month of May, on the 13th and the 28th. Mike Sigman prepared a conference agenda that is being presented today. Rita Farrell is checking on a number of the logistics involved including lunch for the proposed conference date and additional support for the conference subcommittee.

AGREEMENTS

1. We would have another day-long conference for our professions.
2. The focus of this conference will be on how the news media does its job involving coverage of the court system.
3. The event should be on a Saturday to maximize participation by the media members and allow for other important logistics.
4. Date for seminar should be February 27th with March 6th as a backup.
5. Need additional representative on the subcommittee. (Most likely staff member from Administrative Arm of the Courts to assist with logistics)
6. Need a grant writer to assist in funding.
7. Need to make sure CLE credits are available in order to get attorneys to attend.
8. Seminar can run from 9 to 4.

DIFFERENCES

1. Lengths of certain conference activities.
2. Guests and speakers to be invited.

A SUGGESTED CONFERENCE AGENDA FOLLOWS

LIGHTS, CAMERAS AND MEDIA CONCERNS IN THE COURTS CONFERENCE AGENDA

REGISTRATION

WELCOME

Members of Bar/Bench/Media Conference set the stage for conference. Conference members are identified and any special materials are explained.

THE CONSTITUTIONAL RIGHTS OF THE MEDIA AND HISTORICAL CHALLENGES

A historical perspective on the first amendment issues that have faced our profession since the beginning of our government. A brief lecture by professor with the aid of overhead projector and handouts.

Time for questions and answers.

BREAK TO SET UP FOR NEXT PRESENTATION (15 MINUTES)

WHO COVERS THE NEWS IN DELAWARE AND WHAT ARE THE ISSUES?

1. An explanation of the various types of reporters, editors, photographers, stringers, etc.
2. Explanation of important terminology used in profession.
3. What are our writing, editing, and production limitations (What do we mean by on deadline)?
4. What are our basic concerns about covering the courts in Delaware?
5. Realization that all news organizations are different.

MAKING EDITORIAL DECISION OR (JUST HOW DIFFERENT ARE WE?)

A role playing exercise that will allow judges and attorneys into several different newsrooms while the stories of the day are being discussed. We will use many of the same stories to demonstrate the priority that is assigned in each medium.

LUNCH

Headline speaker to discuss Media Coverage of the Legal System and impact of "Court TV" and high profile cases aired on national TV.

AGENDA - P. 2

POSITIONING CAMERAS IN DELAWARE COURTS

What are the logistics for placing cameras in a Delaware courtroom?
Why do we need a certain angle, certain lights and audio arrangements?

How would the media cooperate?

(Cameras will be set up in the courtroom for demonstration purposes)

ARE CAMERAS IN THE COURTROOM BENEFICIAL?

Proponents and opponents of cameras and recording devices in the court will take part in a panel discussion. All the individuals will have personal experience with the issue.

Audience participation will be encouraged.

QUESTIONNAIRE ON SEMINAR TO BE FILLED OUT

GOODBYE AND THANK YOU FOR COMING.

Prepared by: Mike Sigman
June 4, 1992



SUPREME COURT OF DELAWARE

RANDY J. HOLLAND
JUSTICE

August 31, 1992

**208 COURTHOUSE
P. O. Box 229
GEORGETOWN, DELAWARE 19947
(302) 856-5363**

**Vice Chancellor Jack B. Jacobs
Court of Chancery
Public Bldg.
Wilmington, DE 19801**

Dear Vice Chancellor Jacobs:

I am writing to you in your capacity as the Chairman of the Bar-Bench-Media Conference. Enclosed is a copy of a letter and its attachments from Steven Brill (Court TV) to Chief Justice Veasey.

Yours truly,

A handwritten signature in cursive script that reads "Randy".

RJH/mkp

cc: Chief Justice E. Norman Veasey

AMERICAN LAWYER MEDIA, L.P.

Steven Brill
President

August 8, 1992

RECEIVED

AUG 24 1992

ENW

Hon. E. Norman Veasey
Chief Justice
Supreme Court of Delaware
820 North French Street
Wilmington, DE 19801

Dear Chief Justice Veasey:

A few weeks ago I asked the judges in whose courtrooms Courtroom Television Network (Court TV) has covered a trial during its first year to take the time to fill out a brief questionnaire concerning Court TV's conduct and performance in those courtrooms. I thought you would be interested in the attached memo, which tabulates the results.

Needless to say, we are gratified that the good results reported anecdotally seem to have been the universal rule rather than the exception. It has been an exciting first year since our July 1 launch, and we're delighted that it seems also to have been a year in which the judges who have seen us in action think we have contributed to the public understanding of our judicial process without impeding that process. I should add that we have now covered more than 100 trials in 28 states (plus the World Court and Moscow), and the public response has been overwhelmingly good, too.

Also attached are the survey results for federal judges in whose courtrooms we have already covered cases under the current federal cameras experiment.

If you would like further information, please let me know.

Sincerely,



Steven Brill

The American Lawyer

Broward Review

The Connecticut
Law Tribune

Fulton County
Daily Report (Atlanta)

Legal Times
(Washington, DC)

Miami Review

New Jersey Law Journal

Palm Beach Review

The Recorder
(San Francisco)

Texas Lawyer

Courtroom Television Network

Video Library Service

Video Trial Report

The American Lawyer

Management Service

Corporate Control Alert

Georgia Opinions Weekly

Practice Directories

ROSENTHAL MARKET RESOURCES

July 23, 1992

RESULTS OF JUDICIAL QUESTIONNAIRE FOR THE COURTROOM TELEVISION NETWORK (COURT TV)

By mid-May, after nearly one year in operation, Court TV has covered 100 criminal and civil trials in 28 state court systems, as well as televising civil cases from the federal courts.

At that time, the 96 judges who presided over those 100 cases were mailed a brief, two-page survey regarding Court TV's presence and the conduct of its staff in their courtrooms. On July 13, after completing telephone follow-up, a master tally of the results of the 70 judges who responded was prepared.

Included in these results are the responses of 9 federal judges (of the 13) who presided over cases covered by Court TV during the initial year of the U.S. experiment with cameras in federal civil trials.

The principal finding of the survey is that the presence of Court TV's cameras in courtrooms has not impeded the judicial process according to the unanimous opinion of all 70 responding judges. Most judges expanded on their view of the impact of Court TV's cameras with most describing the presence of the network's cameras with such words as "unobtrusive." Several remarked they "forgot the camera was there." One judge from California wrote, "my experience is that live gavel-to-gavel coverage encourages witnesses to be more truthful."

In addition, 60% of the judges thought the presence of Court TV's cameras, and its reporting, "helped convey the events of the trial in a way that contributed to public understanding of the legal system." Only one judge disagreed. The remaining judges indicated they were "not sure" about the educational impact of Court TV's coverage and cited lack of access to the network's telecasts as the reason for this response.

COURT TV RESULTS (cont.)

Nearly all respondents (96%) found Court TV's personnel to be courteous, respectful of the court and the process, and dressed appropriately.

Below are some random comments from both state and federal judges about Court TV and its operation in the courtroom.

"I was highly impressed with all of the Court TV reporters and camera people. You can be proud of their professional and pleasant appearances. You all are welcome anytime!"

Broward County Circuit Court (FL)

"You were extremely professional and courteous. You should be commended for performing the service."

Maricopa County Superior Court (AZ)

"Enjoyed having you here...I feel it is a significant benefit to the public to be able to view the proceedings. Your personnel have always been courteous and polite."

Denver District Court (CO)

"The camera was not intrusive. Having it there I think kept everyone on their toes."

Los Angeles Municipal Court (CA)

"It permitted the public as a whole to see all the testimony and evidence; not just a summary. This permits a better understanding of jury verdicts."

Richland County Circuit Court (SC)

"In a very short period of time, we all ceased to be aware of their presence (even those of us with acting aspirations). From the comments that I have received, the full presentation of the trial, rather than the usual bit reporting of the normal news report, gave the results uncontroversial authenticity."

Hamilton County Court of Common Pleas (OH)

"You have covered three trials in my session. My experience with Court TV has been excellent to outstanding in every way. In the past, the public only saw 30-second bites of trials. With Court TV the public sees and feels what the entire trial is about. The courts belong to the public, and the public has the right to see what we do."

Middlesex County Superior Court (MA)

COURT TV RESULTS (cont.)

"Court TV's staff acted most professionally and is performing a much needed service for the community."

Fort Lauderdale Circuit Court (FL)

"Televising the entire trial duplicates and expands the right of the public to attend trials."

Pasadena Superior Court (CA)

"Anything which reveals what we do, in a reasonably complete way, is of benefit to the public and, therefore, the Court."

New York Supreme Court (NY)

"If anything, the broader public scrutiny causes all parties to adhere more closely to the dictates of the law and the rules of professional conduct."

Los Angeles Superior Court (CA)

"All personnel were most courteous and willing to cooperate in any way. Exceptional rapport and understanding of the process."

Wake County Superior Court (NC)

"The court, litigants and jury conducted themselves as required and the trial was not influenced by the cameras."

Hamilton County Municipal Court (OH)



COURTROOM TELEVISION NETWORK

JUDICIAL QUESTIONNAIRE

JUDGE'S
NAME

Master Tally - 70 responses

COURT

7/13/92

1. Overall, were the COURT TV personnel you and your staff encountered:

a. Courteous Yes 69 (98%) No 0 No response: 1 (2%)

Comments, if any: _____

b. Respectful of the court and the process:

Yes 68 (97%) No 0 Most of the time: 2 (3%)

Comments, if any: _____

c. Dressed Appropriately:

Yes 66 (94%) No 1 (2%) No response: 3 (4%)

Comments, if any: _____

2. Do you feel the presence of our cameras impeded the fairness of the process

Yes _____ No 70 (100%)

Comments, if any: _____

3. Do you think the presence of our cameras and, to the extent you are aware of it, COURT TV's reporting, helped convey the events of the trial in a way that contributed to public understanding of the legal system?

Yes 42 (60%) No 1 (2%) Not sure 25 (35%) No response: 2 (3%)

Comments, if any: _____

4. Did COURT TV's reporters or camera people do anything that you feel they should not have done?

Comments, if any: Yes: 7 (10%) No: 61 (87%) No response: 2 (3%)

Signed _____ Date _____



COURTROOM TELEVISION NETWORK

JUDICIAL QUESTIONNAIRE

JUDGE'S NAME Master Tally - Federal Judges (9)

COURT 7/13/92

1. Overall, were the COURT TV personnel you and your staff encountered:

a. Courteous Yes 8 (89%) No 0 No response: 1 (11%)

Comments, if any: _____

b. Respectful of the court and the process:

Yes 8 (89%) No 0 No response: 1 (11%)

Comments, if any: _____

c. Dressed Appropriately:

Yes 8 (89%) No 0 No response: 1 (11%)

Comments, if any: _____

2. Do you feel the presence of our cameras impeded the fairness of the process

Yes _____ No 9 (100%)

Comments, if any: _____

3. Do you think the presence of our cameras and, to the extent you are aware of it, COURT TV's reporting, helped convey the events of the trial in a way that contributed to public understanding of the legal system?

Yes 4 (44.5%) No 0 Not sure 4 (44.5%)

Comments, if any: No response: 1 (11%)

4. Did COURT TV's reporters or camera people do anything that you feel they should not have done?

Comments, if any: Yes: 0 No: 8 (89%) No response: 1

Signed _____ Date _____